

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JESSICA RAMSAY,	:	
Plaintiff	:	
	:	
v.	:	CIVIL ACTION NO. 19-2002
	:	
NATIONAL BOARD OF MEDICAL	:	
EXAMINERS,	:	
Defendant	:	

ORDER

AND NOW, this ____ day of _____, 2021, upon consideration of plaintiff's discovery requests – namely plaintiff's Interrogatories Relating to Damages (served December 10, 2020) ("Interrogatories"), Requests for Admission Relating to Damages (served December 10, 2020) ("RFAs") and Requests for Production of Documents Relating to Damages (served December 18, 2020) ("RFPs") – and plaintiff's Motion to Compel, and supporting Memorandum of Law, and defendant's opposition thereto, it is HEREBY ORDERED that plaintiff's Motion is GRANTED, and:

1. NBME's objections to plaintiff's Interrogatories, RFAs and RFPs with respect to time period are OVERRULED. NBME shall respond to all of plaintiff's requests, including production of documents, for the full time period requested, namely January 1, 2014 to present;

2. NBME's objections to plaintiff's Interrogatories, RFAs and RPDs with respect to discovery about so-called "procurement contracts" are OVERRULED. NBME shall respond to all of plaintiff's requests, including Interrogatories Nos. 1, 2 and 20, RFAs 5, 7, 8, 22, 23 and 24, and RFPs 1, 2, 5, 6 and 13 including production of documents, for all funds received from the federal government, regardless of NBME's characterization of funding as "procurement contracts."

3. NBME's objections to plaintiff's Interrogatories, RFAs and RFPs with respect to discovery about examination questions that it developed with funding from the Department of Veterans Affairs are OVERRULED. NBME shall respond to all of plaintiff's requests, including Interrogatories Nos. 1, 2, 9, 10, 11, 14, 17, 18 and 20, RFA 6, 9 and 10, and RFPs 1, 2, 5, 6, 9, and 13 including production of documents, that relate to examination questions that NBME developed with federal financial assistance.

4. NBME's objection to RPD No. 3 is OVERRULED. NBME has produced some but not all of the requested documents. NBME shall produce copies of the additional financial statements that it has not yet produced, namely the financial statements for the years ended December 31, 2014, 2015 and 2020.

5. NBME's objections to plaintiff's Interrogatories, RFAs and RPDs with respect to funds received from the Federation of State Medical Boards ("FSMB"), and NBME's objections to RFP No. 12 with respect to documents reflecting NBME and USMLE committee service by federal employees are OVERRULED. NBME shall respond to all of plaintiff's requests, including Interrogatories Nos. 8, RFAs Nos. 2, 3, and 17, and RFP Nos. 1 and 2, and RFP No. 12 with respect to documents reflecting NBME and USMLE committee service by federal employees.

BY THE COURT:

J. CURTIS JOYNER
United States District Judge